



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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GOVERNOR

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<b>The Talaria Company, LLC</b>	)	<b>Departmental</b>
<b>d/b/a The Hinckley Company, LLC</b>	)	<b>Findings of Fact and Order</b>
<b>Hancock County</b>	)	<b>Air Emission License</b>
<b>Trenton, Maine</b>	)	
<b>A-798-70-B-R</b>	)	

After review of the Part 70 License Renewal application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A, Section 344 and Section 590, the Department finds the following facts:

**I. Registration**

**A. Introduction**

The Talaria Company, LLC d/b/a The Hinckley Company, LLC (Hinckley) has applied for a Part 70 Air Emission License Renewal, permitting the operation of emission sources associated with their boat manufacturing facility located at Trenton, Maine.

<b>FACILITY</b>	<b>The Hinckley Company, LLC</b>
LICENSE NUMBER	A-798-70-B-R
LICENSE TYPE	Part 70 License Renewal
NAICS CODES	3261, 336612
NATURE OF BUSINESS	Composite Fabrication
FACILITY LOCATION	Trenton, Maine
DATE OF LICENSE ISSUANCE	September 25, 2009
LICENSE EXPIRATION DATE	September 25, 2014

**B. Emission Equipment**

The following emission units are addressed by this air emissions license:

**Process Equipment**

<b>Emission Unit</b>	<b>Type of Equip.</b>	<b>Pollutants</b>	<b>Unit Type</b>
Composite Fabrication	Spray guns and vacuum infusion	Fugitive VOC	Process Equipment
Assembly	Job shop	Particulate Emissions Fugitive VOC	Process Equipment
Surface Finishing	Spray Guns	Particulate Emissions Fugitive VOC	Process Equipment

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AUGUSTA, MAINE 04333-0017  
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C. Insignificant Activities

Hinckley operates several furnaces, each with a maximum design heat input capacity of less than 3.0 MMBtu/hr. Since these furnaces have heat input capacities less than 3.0 MMBtu/hr, they are considered “insignificant activities” due to their size per Appendix B Section B(2) of 06-096 CMR 140 and are therefore noted for inventory purposes only.

D. Application Classification

The application for Hinckley does not include the licensing of increased actual or licensed allowed emissions. This renewal does, however, incorporate the requirements of 06-096 CMR 144 and the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing (40 CFR, Part 63, Subpart VVVV). This application does not include the installation of new or modified equipment, therefore the license is considered to be a renewal of a Part 70 License issued under 06-096 CMR 140 for a Part 70 source. Hinckley has the potential to emit more than 10 tons per year of a single hazardous air pollutant and is therefore classified as a major source. Hinckley’s manufacturing process flow has been modified over the past five years; the process description in this license has been updated to reflect these changes.

E. General Facility Requirements

Hinckley is subject to the regulations listed below, in addition to the regulations listed for specific units as described in Section II of this license.

CITATION	REQUIREMENT SUMMARY
06-096 CMR 101	Visible Emissions Regulation
06-096 CMR 105	General Process Source Particulate Emission Standard
06-096 CMR 106	Low Sulfur Fuel
06-096 CMR 109	Emergency Episode Regulation
06-096 CMR 110	Ambient Air Quality Standard
06-096 CMR 114	Classification of Air Quality Control Regions
06-096 CMR 116	Prohibited Dispersion Techniques
06-096 CMR 137	Emission Statements
06-096 CMR 140	Part 70 Air Emission License Regulations

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## **II. EMISSION UNIT DESCRIPTION**

### **A. Process Description**

The Hinckley Company manufactures boats at its Trenton facility using molded fiberglass technology. The production process begins in the fiberglass shop where the boat hulls and decks are produced using unsaturated polyester and vinyl ester resins and gel coats, which account for a significant portion of the facility's VOC emissions. The resins contain a VOC monomer as a linking agent, which partially volatilizes during application and curing. Hinckley utilizes both closed mold (vacuum infusion) and open mold technology in the hull and deck lamination process.

The completed hulls and decks are moved to one of the two jet boat buildings for the assembly of components. Following the assembly process, the boat hulls are painted in the surface finishing building. For air licensing purposes, the manufacturing process is divided into the following general phases: fiberglass, assembly, and surface finishing.

#### *Fiberglass Manufacturing*

The manufacturing of fiberglass boats at Hinckley begins with hull and deck construction in the fiberglass application phase. This portion of Hinckley's overall boat building process utilizes unsaturated polyester resins and gelcoats. The unsaturated polyester resins contain a styrene monomer as the linking agent, which partially volatilizes during spraying and curing.

The lamination process for hull and deck construction consists of both closed mold (vacuum infusion) in which resins are infused into a closed mold under vacuum pressure and open contact molding in which layers of gelcoat or resin impregnated fiberglass reinforcement are laid up on an open mold.

The initial step in the lamination process is the spraying of a gelcoat layer on the waxed mold surface. Gelcoating is the application of a layer of resin with no reinforcing materials contained in it. The gelcoat contains unsaturated polyester resin, catalyst, and pigments to create the smooth outer surface of the hull and for ultraviolet light protection. The gelcoat is applied by using resin applicators which mix the resin and catalyst as it is applied. Following the gelcoating, a skin coat of resin and chopped fiberglass is applied on the mold. Gelcoating and skin coating are done using the open mold technique.

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Following proper curing of the hull, the subsequent layers of reinforced materials such as balsa wood, fiberglass or carbon fiber are applied to the part. The thickness of the lamination depends on both the style of boat and the location within the hull (i.e. high stress areas will have more layers applied). The part is then covered by plastic. Using the vacuum infusion method, the resin is drawn through the structural materials and allowed to cure. There are no exposed resin surfaces in this closed-mold process, thus VOC emissions are minimized. An increased rate of polymerization is achieved with the closed mold method relative to an open mold process due to the elimination of airflow across the surface of the product. Hinckley uses the closed-mold infusion process whenever possible to manufacture the majority of hulls and decks.

*Assembly*

The assembly phase is when the actual installation of the various components/accessories of the boat is performed. Following installation of all interior/cabin furnishings and equipment, the deck is attached to the hull in the assembly phase. All woodworking are also completed on site. VOC emissions result from the use of relatively small amounts of various glues, putties, resins, cleaning solvents, and occasional touch up/repair work.

*Surface Finishing*

Hinckley surface finishes hulls of completed boats in a designated surface finishing building consisting of three bays. The exhaust is filtered to control particulate emissions that would otherwise pass through the fan to the outside. Minor amounts of varnishing and painting are performed in other areas.

**B. VOC Emission Sources / BPT for VOC Control**

Hinckley was issued their original Air Emission License A-798-71-A-N on June 12, 2000, which incorporated requirements of Best Available Control Technology (BACT). The BACT findings in Air Emission License, A-798-71-A-N, are incorporated as BPT into this Part 70 License Renewal.

The Fiberglass Department is responsible for the majority of VOC emissions and hazardous air pollutants (HAP). Styrene emissions, considered a HAP, are attributed to evaporation of resin or gelcoat overspray and vaporization from the applied resin or gelcoat prior to polymerization. Hinckley is classified as a major source and subject to Part 70 due to having the potential to emit a "single" HAP, styrene emissions, over 10 tons per year.

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Due to polymerization of the styrene monomer, not all of the VOC/HAP as delivered is volatilized or emitted. Hinckley shall calculate styrene emissions from resin and gelcoat application processes using the Unified Emission Factor (UEF) estimation models for open molding of composites, which is based on a compilation of research conducted by the Composites Fabricators Association (CFA), the National Marine Manufacturing Association (NMMA), and the United States Environmental Protection Agency (USEPA).

Hinckley is subject to MEDEP 06-096 CMR 144 and 40 CFR Part 63 Subpart VVVV, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing. Hinckley has chosen to meet the requirements of Chapter 144 and Subpart VVVV by using the emissions averaging option outlined in 40 CFR §63.5704.

Hinckley has opted to limit VOC emissions to less than 39 tons per year and therefore is not subject to the requirements of 06-096 CMR 134 (VOC RACT).

The following determinations meet BPT for this Part 70 Air License Renewal:

- Employ the closed-mold technology whenever possible for the manufacture of fiberglass boat parts;
- For open-mold resin application, Hinckley's MACT compliance strategy is through the use of emissions averaging, as switching to all compliant materials is not feasible at this time due to the lack of suitable commercially available products. Hinckley uses Equation 1 contained in 40 CFR §63.5710 to demonstrate that HAP emissions from open molding operations do not exceed the emission limit specified by Equation 1 for the same 12-month period;
- Limit overall facility-wide VOC emissions to 39 tons per year;
- Continue ongoing research and manufacturing test trials of pollution prevention technologies such as low styrene resins and water-based or low vapor pressure cleaning solvents;
- Maintain good housekeeping practices (i.e., lids on, proper storage of open containers, etc.)
- Maintain records of monthly resin, gel coat, and solvent usage facility wide, based on monthly purchases;
- Control PM emissions from surface finishing operations that vent outside with fabric filters, the visible emissions from these units will be limited to 10% opacity based on a 6-minute block average;

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- Control PM emissions from the grinding, sanding, cutting, and buffing activities that vent outside with particulate filters, the visible emissions from these units will be limited to 10% opacity based on a 6-minute block average.

C. Boat Manufacturing NESHAP (MACT)

Hinckley is licensed to emit up to 39 tons of VOC per year thus Hinckley's potential to emit is greater than 10 tons per year for any single HAP and 25 tons per year for all HAPs combined, and is therefore defined as a major source for HAPs. On August 22, 2001 the EPA promulgated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing - 40 CFR, Part 63, Subpart VVVV. The NESHAP requires all major sources of HAPs to meet emission standards that reflect Maximum Achievable Control Technology (MACT). Hinckley has complied with the MACT for boat manufacturing by the regulatory deadline of August 23, 2004.

Hinckley's operations are not subject to any NSPS requirements as written in 40 CFR Part 60.

D. Compliance Assurance Monitoring (CAM)

40 CFR Part 64 requires that a major source required to obtain a Part 70 Air License submit a Compliance Assurance Monitoring plan for each unit at the source subject to an emission limit that uses a control device to achieve compliance with the emission limit and that has potential to emit the pollutant prior to control at or above major source levels. There are no units at Hinckley that are applicable to CAM; therefore the facility is not subject to the requirements of 40 CFR Part 64.

E. Periodic Monitoring for VOC and HAP

To determine compliance with the BPT findings in this license, Hinckley shall maintain, and make available upon request, a current list of all resins and cleaning materials in use. This list shall provide the necessary data to determine compliance, including:

- a) Resin, catalyst, and cleaning materials in use.
- b) Percent VOC and HAP by weight for each resin, and the pounds of VOC and HAP per gallon of cleaning materials.
- c) The amount and type of resin materials used on a monthly basis
- d) The amount and type of cleaning materials used on a monthly basis

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The monthly totals of VOCs and HAPs shall be calculated and tracked on a 12-month rolling total basis. Hinckley shall maintain these records for 6 years and make them available upon request from the DEP. The chemical usage and rolling total VOC/HAP emission calculations, for the previous 12-month period, will be reported in the semi-annual report. These parameters will also be submitted in an annual report as required by 06-096 CMR 137.

Hinckley must limit organic HAP emissions from open molding operations to the limit specified by Equation 1 of 40 CFR Part 63, Subpart VVVV, based on a 12-month rolling total.

$$HAP\ Limit = [46 (MR) + 159 (MPG) + 291 (MCG) + 54 (MTR) + 214 (MTG)]$$

Where:

HAP Limit = total allowable organic HAP that can be emitted from the open molding operations, mega grams.  
MR= mass of production resin used in the past 12 months, excluding any exempt materials, mega grams.  
MPG= mass of pigmented gel coat used in the past 12 months, excluding any exempt materials, mega grams.  
MCG= mass of clear gel coat used in the past 12 months, excluding any exempt materials, mega grams.  
MTR= mass of tooling resin used in the past 12 months, excluding any exempt materials, mega grams.  
MTG= mass of tooling gel coat used in the past 12 months, excluding any exempt materials, mega grams.

The following materials specified are exempt from the open molding emission limit:

- (1) Production resins (including skin coat resins) that must meet specifications for use in military vessels or must be approved by the U.S. Coast Guard for use in the construction of lifeboats, rescue boats, and other life-saving appliances approved under 46 CFR subchapter Q or the construction of small passenger vessels regulated by 46 CFR subchapter T. Production resins for which this exemption is used must be applied with nonatomizing (non-spray) resin application equipment. You must keep a record of the resins for which you are using this exemption.
- (2) Pigmented, clear, and tooling gel coat used for part or mold repair and touch up. The total gel coat materials included in this exemption must not exceed 1 percent by weight of all gel coat used at your facility on a 12-month rolling-average basis. You must keep a record of the amount of gel coats used per month for which you are using this exemption and copies of calculations showing that the exempt amount does not exceed 1 percent of all gel coat used.
- (3) Pure, 100 percent vinylester resin used for skin coats. This exemption does not apply to blends of vinylester and polyester resins used for skin coats. The total resin materials included in the exemption cannot exceed 5 percent by weight of all resin used at your facility on a 12-month rolling-average basis. You must keep a record of the amount of 100 percent vinylester skin coat resin used per month that is eligible for this exemption and copies of calculations showing that the exempt amount does not exceed 5 percent of all resin used.

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Hinckley will also perform and log in-house monthly inspections to maintain and promote “good housekeeping” practices (closed lids, proper storage of open containers, etc.) and ensure that all VOC/HAP materials are handled properly to minimize emissions. These monthly inspections will be part of Hinckley’s periodic monitoring and reportable to the Department upon request. The log will contain the number of inspections and any spills, clean ups, etc. that occurred.

**F. Operational Flexibility**

06-096 CMR 140 incorporates provisions to ensure that companies in Maine have the maximum operational flexibility to take advantage of changing market conditions. Hinckley’s process is continually adapting to meet customer demands, therefore, a flexible 06-096 CMR 140 permit is necessary. Given Hinckley’s continuously changing process, combining all operations and facility-wide license conditions has proven to be the most effective strategy. The following terms for operational flexibility will be included in this license:

- The Hinckley Company will have the flexibility to substitute and add resin and gelcoat application equipment as necessary without triggering notification of the Department or license revisions provided that the BPT provisions are adhered to.
- The products/chemicals associated with each phase of the boat manufacturing included in this application form are based on Hinckley’s historical use data. These products are representative of Hinckley’s chemical usage but do not comprise a complete list of all potential products required by Hinckley for the manufacturing of boats.

In addition, 06-096 CMR 140 states that insignificant activities and modifications to insignificant activities that remain insignificant will not require notification to the Department. Hinckley has identified all current insignificant activities in Section IV of March 2007 Part 70 air license renewal application; however it is reasonable to assume that Hinckley may add additional insignificant activities. In compliance with 06-096 CMR 140, Hinckley may add additional insignificant activities without notification to the Department.



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G. Facility Emissions

The total facility emissions from Hinckley consist of only the process VOC emissions from the composites fabrication operations.

**Total Allowable Annual Emissions for the Facility**  
(used to calculate the annual license fee)

<u>Pollutant</u>	<u>TPY</u>
PM	N/A
PM <sub>10</sub>	N/A
SO <sub>2</sub>	N/A
NO <sub>x</sub>	N/A
CO	N/A
VOC	39.0

Note: All boilers and other processes are considered insignificant due to their size, therefore, process VOC emissions is the only criteria pollutant emission applicable and thus requires a ton per year limit.

**III. AIR QUALITY ANALYSIS**

According to 06-096 CMR 140 of the Department's regulations, an existing Part 70 source shall be exempt from an impact analysis with respect to a regulated pollutant whose allowable emissions do not exceed the following:

<b>Pollutant</b>	<b>Tons/year</b>
PM	25
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	100
CO	250

Based on facility license allowed emissions, Hinckley is below the emissions level required for modeling.

**ORDER**

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this source:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License A-798-70-B-R pursuant to 06-096 CMR 140 and the preconstruction permitting requirements of 06-096 CMR 115 and subject to the standard and special conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to Hinckley pursuant to the Department's preconstruction permitting requirements in 06-096 CMR 108 or 115 have been incorporated into this Part 70 license, except for such conditions that MEDEP has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such the conditions in this license supercede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in 06-096 CMR 115 for making such changes and pursuant to the applicable requirements in 06-096 CMR 140.

For each standard and special condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only.**

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

## STANDARD STATEMENTS

- (1) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both; [06-096 CMR 140]
- (2) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege; [06-096 CMR 140]

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- (3) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable. [06-096 CMR 140]
- (4) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license; [06-096 CMR 140]
- (5) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 140]
- (6) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:
  - A. Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or
  - B. The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or effect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; the liability of an owner or operator of a source for any violation of Applicable requirements prior to or at the time of permit issuance; or the ability of EPA to obtain information from a source pursuant to Section 114 of the CAA.

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The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in an application dated March 2007.

SOURCE	CITATION	DESCRIPTION	BASIS FOR DETERMINATION
Boilers or furnaces	40 CFR Part 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	All boilers at Hinckley are below a maximum design heat input capacity of 10 MMBtu/hr.
Facility	40 CFR Part 63, Subpart JJ	NESHAP for Wood Furniture Manufacturing Operations	Hinckley's Trenton facility is not primarily engaged in the manufacture of wood furniture and does not use more than 100 gallons per month of finishing material or adhesives in the manufacturing of wood furniture components.
Facility	40 CFR Part 63, Subpart II	NESHAP for Shipbuilding and Ship Repair	This facility manufactures pleasure crafts and is therefore not considered a "ship builder" as defined by 40 CFR 63.782
Facility	40 CFR, Part 68	Chemical Accident Prevention Provisions (CAA Sec 112r)	Hinckley does not store any regulated substance in excess of the thresholds contained in Part 68.
Facility	40 CFR, Part 82, Subparts A-E	Protection of Stratospheric Ozone	Hinckley does not produce, destroy, import or export a controlled substance or import a controlled product.
Facility	MEDEP 06-096 CMR 111	Petroleum Liquid Storage Vapor Control	Hinckley does not have a fixed roof storage vessel with a capacity greater than 39,000 gallons containing volatile petroleum liquids with true vapor pressure greater than 1 psia.
Facility	MEDEP 06-096 CMR 117	Source Surveillance	Hinckley does not operate fuel-burning equipment that meets the specifications necessary to be subject to this 06-096 CMR (i.e. greater than 100 MMBtu/hr heat input capacity).
Facility	MEDEP 06-096 CMR 118	Gasoline Dispensing Facilities Vapor Control	Hinckley does not have any on-site gasoline storage tanks, therefore not subject to this rule.
Facility	MEDEP 06-096 CMR 126	Capture Efficiency Test Procedures	Hinckley does not employ add-on controls to any VOC emissions activities and therefore is not subject to this rule.
Facility	MEDEP 06-096 CMR 129	Surface Coating Facilities	Hinckley does not surface coat cans, fabric, vinyl, metal furniture, or misc. metal parts.
Facility	MEDEP 06-096 CMR 134	VOC RACT	Hinckley is limited to less than 39 tons VOC per year and therefore is not subject to this rule.

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(7) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:

- A. Additional Applicable requirements under the CAA become applicable to a Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to 06-096 CMR 140;
- B. Additional requirements (including excess emissions requirements) become applicable to a Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;
- C. The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Part 70 license; or
- D. The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.

The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.

[06-096 CMR 140]

(8) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading and other similar programs or processes for changes that are provided for in the Part 70 license.  
[06-096 CMR 140]

**STANDARD CONDITIONS**

(1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions and this license (38 M.R.S.A. §347-C);

- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 140; [06-096 CMR 140]
- (3) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request; [06-096 CMR 140]  
**Enforceable by State-only**
- (4) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to 38 M.R.S.A. §353.
- (5) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions; [06-096 CMR 140]  
**Enforceable by State-only**
- (6) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license; [06-096 CMR 140]
- (7) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, the filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a Part 70 license or amendment shall not stay any condition of the Part 70 license. [06-096 CMR 140]
- (8) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:

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A. perform stack testing under circumstances representative of the facility's normal process and operating conditions:

1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions;
2. to demonstrate compliance with the applicable emission standards; or
3. pursuant to any other requirement of this license to perform stack testing.

B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and

C. submit a written report to the Department within thirty (30) days from date of test completion.

[06-096 CMR 140]

Enforceable by State-only

(9) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates emissions in excess of the applicable standards, then:

A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such

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alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.  
[06-096 CMR 140] **Enforceable by State-only**

(10) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license.

A. The licensee shall notify the Commissioner within 48 hours of a violation of any emission standard and/or a malfunction or breakdown in any component part that causes a violation of any emission standard, and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;

B. The licensee shall submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component part causes a violation of any emission standard, together with any exemption requests.

Pursuant to 38 M.R.S.A. § 349(9), the Commissioner may exempt from civil penalty an air emission in excess of license limitations if the emission occurs during start-up or shutdown or results exclusively from an unavoidable malfunction entirely beyond the control of the licensee and the licensee has taken all reasonable steps to minimize or prevent any emission and takes corrective action as soon as possible. There may be no exemption if the malfunction is caused, entirely or in part, by poor maintenance, careless operation, poor design or any other reasonably preventable condition or preventable equipment breakdown. The burden of proof is on the licensee seeking the exemption under this subsection.

C. All other deviations shall be reported to the Department in the facility's semiannual report.

[06-096 CMR 140]

(11) Upon the written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 140]



- (12) The licensee shall submit semiannual reports of any required periodic monitoring. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official. [06-096 CMR 140]
- (13) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequently if specified in the applicable requirement or by the Department. The compliance certification shall include the following:
- (a) The identification of each term or condition of the Part 70 license that is the basis of the certification;
  - (b) The compliance status;
  - (c) Whether compliance was continuous or intermittent;
  - (d) The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
  - (e) Such other facts as the Department may require to determine the compliance status of the source;
- [06-096 CMR 140]

### **SPECIFIC CONDITIONS**

- (14) VOC Process Emissions [A-798-71-A-N (6/12/2000), BPT]

Hinckley shall not emit more than 39 tons/year, on a 12 month rolling total basis, of combined VOC emissions from all of the departments that make up the composites fabrication process, based on the UEF model and the following mass balance equation:

$$\text{VOC Emissions} = (\text{Monthly Product Purchases} * \% \text{VOC}) - (\text{Monthly Hazardous Waste Removed from Site} * \% \text{VOC})$$

Purchase records of VOC containing resins, gelcoats, and putties shall be kept on a 12 month rolling total for compliance purposes.

- (15) Hinckley shall calculate styrene and methyl methacrylate emissions from the application of gelcoats, resins, and putties on a 12-month rolling total basis using the Unified Emissions Factor model for open molding of composites. All other chemicals are to be based upon mass balance calculations. Emissions from

Hinckley's closed molding parts shall be calculated using the appropriate EPA and 06-096 CMR 144 emissions factors for closed molding technology.  
[40 CFR, Part 63, Subpart VVVV, & MEDEP 06-096 CMR 140, BPT]

(16) HAP Process Emissions [06-096 CMR144 & 40 CFR Part 63, Subpart VVVV]

Hinckley is subject to MEDEP Chapter 144 and 40 CFR, Part 63, Subpart VVVV, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing. Hinckley has chosen to meet the requirements of Chapter 144 and Subpart VVVV by using the emissions averaging option outlined in 40 CFR §63.5704.

HAP emissions shall be calculated using the MACT model point values equation (eq. 1) detailed in 40 CFR, §63.5710 to demonstrate compliance with MEDEP Chapter 144 and 40 CFR, Part 63, Subpart VVVV.

- (17) To minimize VOC emissions from resin application, Hinckley shall use the closed-mold method (i.e., vacuum infusion) whenever this technology has proven to reliably work and cost effective. For applications when the closed-mold method is not feasible or cost effective, Hinckley shall use the mechanical, non-atomized or airless spray gun technique for resin application in all but the manufacture of small and/or irregular parts. [A-798-71-A-N (6/12/2000), BPT]
- (18) Hinckley shall promote "good housekeeping" practices (close lids, proper storage open containers, etc.) and ensure that all VOC containing materials are handled properly to minimize emissions. The procedure shall ensure that all VOC containers are properly sealed when not in immediate use and that all VOC containers are handled in a manner to reduce the chance of spills. The Hinckley Company shall conduct and log monthly self-inspections of each area to minimize emissions.  
[A-798-71-A-N (6/12/2000), BPT] & 06-096 CMR 144]
- (19) Particulate matter emissions from bag filters and spray booth filters are generally unquantified; therefore particulate matter emissions from bag filters shall be limited to 10% opacity based on a 6 minute block average and 10% opacity based on a 6 minute block average for spray booth filters. Hinckley shall properly maintain all dust collection equipment in the facility and make repairs as necessary to prevent or minimize system leakage.  
[A-798-70-A-I (12/30/2002), BPT]

- (20) Visible emissions from any general process source, not vented through a baghouse or fabric filter, shall not exceed an opacity of 20% on a 6-minute block average basis, except for no more than 1 six-minute block average in a 1-hour period. Hinckley shall perform such housekeeping and clean up as is necessary to prevent or minimize fugitive emissions. Hinckley shall conduct and log monthly self-inspections of each area to minimize emissions and make this log available upon Department request.

[MEDEP 06-096 CMR 101 & A-798-71-A-N (6/12/00), BPT]

- (21) Hinckley shall continue research and manufacturing test trials of pollution prevention technologies (low styrene resins, closed mold systems, etc.) to minimize VOC emissions. An annual report documenting the research and test trial results for the previous year shall be submitted in the annual compliance certification. [A-798-71-A-N (6/12/00), BPT] **State-only Enforceable**

- (22) Monitoring and Recordkeeping Requirements

[MEDEP 06-096 CMR 140, 117, and 144]

The following are identified as Periodic Monitoring and Recordkeeping:

1. Monthly purchase records of VOC containing resins, gelcoats, and putties.
2. Monthly purchase records of HAP containing resins, gelcoats, and putties.
3. Monthly log of "Good-Housekeeping" inspections.
4. Annual New Technology report.

- (23) **Semiannual Reporting** [06-096 CMR 140]

- A. The licensee shall submit semiannual reports every six months to the Bureau of Air Quality. The semiannual reports are due on **January 31<sup>st</sup>** and **July 31<sup>st</sup>** of each year. The facility's designated responsible official must sign this report.
- B. The semiannual report shall be considered on-time if the postmark of the submittal is before the due date or if the report is received by the DEP within seven calendar days of the due date.
- C. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.

**(24) Annual Compliance Certification**

Hinckley shall submit an annual compliance certification to the Department in accordance with Standard Condition (13) of this license. The annual compliance certification is due January 31 of each year. The facility's designated responsible official must sign this report.

The annual compliance certification shall be considered on-time if the postmark of the submittal is before the due date or if the report is received by the DEP within seven calendar days of the due date. Certification of compliance is to be based on the stack testing or monitoring data required by this license. Where the license does not require such data, or the license requires such data upon request of the Department and the Department has not requested the testing or monitoring, compliance may be certified based upon other reasonably available information such as the design of the equipment or applicable emission factors. [06-096 CMR 140]

**(25) Annual Emission Statement**

In accordance with Emission Statements, 06-096 CMR 137 (last amended November 8, 2008), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:

- A. A computer program and accompanying instructions supplied by the Department; or
- B. A written emission statement containing the information required in 06-096 CMR 137.

The emission statement must be submitted by the date as specified in 06-096 CMR 137.

[06-096 CMR 137]

**(26) General Applicable State Regulations**

The licensee is subject to the State regulations listed below.

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Origin and Authority	Requirement Summary	Enforceability
06-096 CMR 102	Open Burning	-
06-096 CMR 109	Emergency Episode Regulation	-
06-096 CMR 110	Ambient Air Quality Standard	-
06-096 CMR 116	Prohibited Dispersion Techniques	-
38 M.R.S.A. §585-B, §§5	Mercury Emission Limit	Enforceable by State-only

**(27) Units Containing Ozone Depleting Substances**

When repairing or disposing of units containing ozone depleting substances, the licensee shall comply with the standards for recycling and emission reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioning units in Subpart B. An example of such units include refrigerators and any size air conditioner that contain CFCs.

[40 CFR, Part 82, Subpart F]

**(28) Asbestos Abatement**

When undertaking Asbestos abatement activities, Hinckley shall comply with the Standard for Asbestos Demolition and Renovation 40 CFR Part 61, Subpart M.

**(29) Expiration of a Part 70 license**

- A. Hinckley shall submit a complete Part 70 renewal application at least 6 months prior, but no more than 18-months prior, to the expiration of this air license.
- B. Pursuant to Title 5 MRSA §10002, and 06-096 CMR 140, the Part 70 license shall not expire and all terms and conditions shall remain in effect until the Department takes final action on the renewal application of the Part 70 license. An existing source submitting a complete renewal application under Chapter 140 prior to the expiration of the Part 70 license will not be in violation of operating without a Part 70 license. **Enforceable by State-only**

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(30) **New Source Review**

Hinckley is subject to all previous New Source Review (NSR) requirements summarized in this Part 70 air emissions license and the NSR requirements remain in effect even if this 06-096 CMR 140 Air Emissions License, A-798-70-B-R, expires.

DONE AND DATED IN AUGUSTA, MAINE THIS 25<sup>th</sup> DAY OF Sept., 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:



DAVID P. LITTELL, COMMISSIONER

**The term of this license shall be five (5) years from the signature date above.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: March 26, 2007

Date of application acceptance: April 10, 2007

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Edwin Cousins, Bureau of Air Quality

